

### **REMARKS**

This responds to the Office Action dated February 27, 2007.

Claim 12 is amended. Claims 1-40 are now pending in this application.

#### **Double Patenting Rejection**

Claims 28 and 38 were rejected under a non-statutory obviousness-type double patenting rejection, specifically over claim 11 of U.S. Patent No. 6,045,498. Applicant does not admit that the claims are obvious in view of U.S. Patent No. 6,045,498. However, a Terminal Disclaimer in compliance with 37 C.F.R. 1.321(b)(iv) is enclosed herewith to obviate these rejections.

Applicant respectfully requests reconsideration and allowance of claims 28 and 38.

#### **§112 Rejection of the Claims**

Claim 12 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 12 has been amended to change “hollow needle” to “needle”. It is believed that the issue raised in the rejection is addressed by the amendment.

Applicant respectfully requests reconsideration and allowance of claim 12

#### **Allowable Subject Matter**

Claims 1-11, 13-27, 29-37, 39 and 40 were allowed.

Claim 12 was indicated to be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112 set forth in the Office Action. Applicant has amended claim 12 and believes that claim 12 is now in condition for allowance.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6912 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date

July 27, 2007

By

  
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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 27 day of July 2007.

Name

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Signature

